COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

DEPUTY INVOLVED SHOOTING

UNIT: EAST LOS ANGELES STATION

DATE / TIME OF INCIDENT: FEBRUARY 14, 2011 (MONDAY) / 2015 HOURS

LOCATION: 4200 BLOCK OF BOSWELL PLACE
UNINCORPORATED LOS ANGELES

URN: 011-02295-0278-055

IAB #: SH2282402 & FO2284601

OPENING STATEMENT

On Monday February 14, 2011, IAB investigators Sergeant Chad Smeltzer, Sergeant Patrick Kim and Lieutenant Alicia Ault responded to a command post erected by East Los Angeles Station personnel regarding a Deputy Involved Hit Shooting. Investigators learned from Homicide detectives that COPS Bureau Deputy Anthony Forlano and East Los Angeles Station Deputies Raymond Mendoza and [redacted] were involved in a hit shooting at the termination of a vehicle pursuit, injuring the suspect. Additionally, COPS Bureau Deputy [redacted] deployed a Taser on the suspect during the extraction process.

SYNOPSIS

While patrolling the East Los Angeles area, Deputies Forlano and Mendoza, Unit 25A/P, noticed a stolen vehicle from an earlier call. As they drove toward the stolen vehicle on Townsend Avenue, the driver, Suspect Osvaldo Ureta, collided into the front of their patrol car. Deputy Forlano backed his patrol car away from the Suspect Ureta's vehicle and directed him to stop. Suspect Ureta proceeded toward Deputy Forlano's vehicle brandished a small handgun at them and sideswiped their patrol car in the left rear quarter panel and struck a parked vehicle. Suspect Ureta continued driving southbound as the deputies followed and initiated a pursuit. Unit 24/P, Deputies [redacted] (driver) and Vincent Moran joined the pursuit as the lead pursuit vehicle as Deputy Forlano attempted

to catch up to Suspect Ureta's vehicle on Olympic Boulevard. As the pursuit progressed, it entered the Southbound 5 Freeway. While traveling on the Southbound 5 Freeway, Deputy [redacted] vehicle was impeded by the freeway traffic and Deputy Forlano's vehicle became the lead pursuit vehicle. The pursuit exited the 5 Freeway at Olympic Boulevard and continued on surface streets.

As Deputy Forlano pursued Suspect Ureta southbound on Mariana Street to westbound Triggs Street Suspect Ureta stopped abruptly, causing Deputy Forlano to rear end Suspect Ureta's vehicle. Suspect Ureta then quickly sped away westbound on Triggs Street, followed by both units.

As the pursuit progressed, Suspect Ureta turned from eastbound Union Pacific Avenue to northbound Sunol Drive striking his vehicle's right rear tire against the east curb of Sunol Drive, causing the tire to pop. Suspect Ureta traveled northbound Sunol Drive and turned onto Boswell Place, where he again stopped abruptly. To avoid a collision, Deputies Forlano and [redacted] swerved their vehicles, stopping on opposing sides of the suspect's vehicle. Deputy Forlano's vehicle stopped on the south side of Suspect Ureta's vehicle near the B-Pillar of Suspect Ureta's vehicle. As [redacted] vehicle stopped, Suspect Ureta accelerated and collided with the left front fender of Deputy [redacted] vehicle. Deputy [redacted] vehicle stopped north of Suspect Ureta's vehicle near Suspect Ureta's right passenger doors. All three vehicles faced westbound on Boswell Place.

Deputies Forlano and Mendoza then saw Suspect Ureta turn in their direction and raise his right arm. Fearing Suspect Ureta was about to shoot at them, both deputies fired their weapons from their seated positions within their patrol car. Simultaneously, Deputy [redacted] saw Suspect Ureta turn and heard gunshots. Deputy [redacted] feared Suspect Ureta was shooting at him or the other deputies, and also fired at Suspect Ureta.

All four deputies exited their vehicles and located themselves on the south side of Deputy Forlano's patrol car and ordered Suspect Ureta to raise his hands. Suspect Ureta failed to comply and continued to move inside the vehicle and his vehicle moved slowly back and forth. An arrest team was formed with Deputies Audrey Alvarez, George Ruiz, Vincent Moran and [redacted] The team approached Suspect Ureta's driver door and attempted to extract him. As the arrest team attempted to open the vehicle's driver door, Suspect Ureta placed his hands in his waistband area. Deputy [redacted] feared Suspect Ureta was attempting to retrieve a weapon and deployed his Taser, striking Suspect Ureta, in the chest and abdomen. Suspect Ureta was then removed from the vehicle without further incident.

Suspect Ureta sustained gunshot wounds to his upper torso, head and left hand. He was transported to the Los Angeles County/USC Medical Center where he underwent surgery. Suspect Ureta's weapon was not recovered.

Homicide detectives conducted a shooting investigation as documented in the Homicide Investigation Book **[EXHIBIT A]**.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

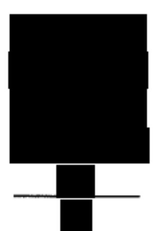
Deputy Anthony Forlano #[redacted]
COPS Bureau

Date of employment	11-08-94
Date assigned to patrol	[redacted]
Date completed patrol training	[redacted]
Date assigned to COPS Bureau	03-21-10
Prior shooting incidents	5
Prior founded force incidents	[redacted]

Deputy Raymond Mendoza #[redacted]
East Los Angeles Station

Date of employment	10-20-97
Date assigned to patrol	[redacted]
Date completed patrol training	[redacted]
Date assigned to East Los Angeles Station	09-03-06
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

Deputy [redacted] #[redacted]
East Los Angeles Station



Date of employment	[redacted]
Date assigned to patrol	
Date completed patrol training	
Date assigned to East Los Angeles Station	
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]

Deputy [redacted] **#**[redacted]
COPS Bureau



Date of employment [redacted]
Date assigned to patrol [redacted]
Date completed patrol training [redacted]
Date assigned to COPS Bureau [redacted]
Prior shooting incidents [redacted]
Prior founded force incidents [redacted]

<u>SUSPECT INFORMATION</u>

Osvaldo Ureta
Male, Hispanic, DOB: 01-04-80, Booking #2644214, 6'0", 210 lbs
[redacted]
CII #[redacted], MAIN #[redacted], FBI #[redacted]

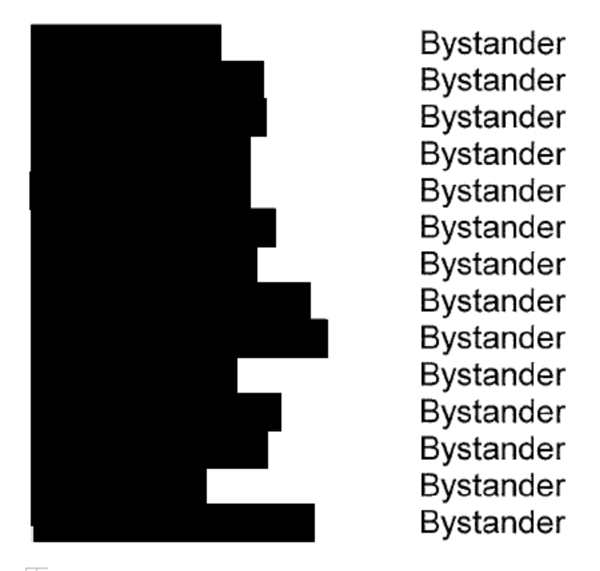
While Suspect Ureta was incarcerated, his booking number was changed to 2660863.

Suspect Ureta was arrested for Assault with a Deadly Weapon on a Peace Officer, 245 (D)(1) PC, related to this incident. Suspect Ureta's criminal history dates back to [redacted] with [redacted] For further information regarding Suspect Ureta's criminal history, refer to pages 119-141 of the Homicide Investigation Book **[EXHIBIT A]**.

<u>TRANSCRIBED WITNESS INTERVIEWS</u>

Vincent Moran	Deputy Sheriff
Audrey Alvarez	Deputy Sheriff
George Ruiz	Deputy Sheriff
James Carroll	Supervising Criminalist
Silvano Garcia	Deputy Sheriff
[redacted]	Bystander
	Bystander
	Bystander
	Bystander

WITNESS INTERVIEWS NOT TRANSCRIBED



[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander
[redacted]	Bystander

Numerous witnesses were located, identified and interviewed by Homicide detectives as witnesses. For further information, see supplemental reports on pages 23, 28-34, 55, 69-74 and 76-77 found in the Homicide Investigation Book **[EXHIBIT A]**.

IAB investigators conducted additional canvassing for witnesses on Sunol Drive, north and south of Union Pacific Avenue. The results of the canvassing are contained on pages 22-26 of the investigative summary.

INJURIES

Suspect Osvaldo Ureta received treatment at Los Angeles County/USC Medical Center Intensive Care Unit for multiple gunshot wounds to his head, left chest and left hand. Two bullets were retained in his body; One bullet was retained in his head and the second bullet was retained in his back.

For further details regarding Suspect Ureta's injuries refer to his medical records under Booking #2644214 **[EXHIBIT K]** and Booking #2660863 **[EXHIBIT L]**.

No deputies were injured.

PHYSICAL EVIDENCE

Homicide investigators and Scientific Services Bureau personnel collected physical evidence at the scene. For descriptions of the evidence collected and where it was collected, refer to the Homicide Investigation Book **[EXHIBIT A]** pages 24, 39-84 and 90-118.

INVESTIGATORS OBSERVATIONS

IAB investigators responded to the shooting scene and observed Suspect Ureta's Cadillac Escalade (CA license #[redacted]) located on Boswell Place west of Sunol Drive. Deputy Forlano's vehicle was located south of Suspect Ureta's vehicle facing west, close to the left passenger door. Deputy [redacted] vehicle was located to the north of Suspect Ureta's vehicle facing west near Suspect Ureta's right passenger doors. There were expended shell casings on the roadway surface in the area of the vehicles. There were apparent bullet holes and blood stains on Suspect Ureta's vehicle on the driver door area. Three street lights in the shooting scene area were functioning at the time of the walk through. Refer to discs containing photographs of the shooting scene **[EXHIBIT J]**.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Forlano fired ten rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS 9mm semi-automatic pistol.

Deputy Mendoza fired six rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS 9mm semi-automatic pistol.

Deputy [redacted] fired three rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS 9mm semi-automatic pistol.

Deputy [redacted] deployed a Department issued X-26 Taser.

WEAPON USED BY SUSPECT URETA

None found.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

Investigators: Detectives Louie Aguilera and Frank Salerno, Homicide Bureau

Charges Filed: Operate a Vehicle Without Owner's Consent, 10851(A) CVC, Grand Theft Auto, 487(D)(1) PC and Evading a Police Officer, 2800.2(A) CVC was filed against Suspect Ureta. Refer to pages 85-89 of the Homicide Investigation Book **[EXHIBIT A]** for a copy of the Criminal Complaint filed against Suspect Ureta.

Case Status: On July 26, 2011, Suspect Ureta was convicted of Operating a Vehicle Without the Owner's Consent, 10851(A) CVC and sentenced to thirty-two months in state prison under court case number BA382118.

LIGHTING AND WEATHER CONDITIONS

The shooting took place during the hours of darkness at approximately 2015 hours. The weather was cool, dry and clear.

INVOLVED EMPLOYEE'S STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. The summaries of the interviews are a combination of statements gleaned from both Homicide and IAB interviews.

Deputy Anthony Forlano

Homicide investigators interviewed Deputy Forlano on February 15, 2011, and March 1, 2011. IAB investigators reviewed the audio recordings of the interviews and determined that the information contained on pages 63-66 and 78-80 of the Homicide Investigation Book **[EXHIBIT A]** was an accurate summarization of the interviews. In accordance with Department protocol, Deputy Forlano did not author a report regarding this incident. IAB investigators conducted an interview with Deputy Forlano on May 5, 2011.

*During Deputy Anthony Forlano's IAB interview two photographs were used for clarification **[EXHIBIT B]**. The photographs were printed from the crime scene photo discs **[EXHIBIT J]**.*

Deputy Anthony Forlano said on February 14, 2011, he was assigned to Unit 25A with Deputy Raymond Mendoza. Deputy Forlano was the driver and Deputy Mendoza was the bookman. Deputy Forlano drove eastbound Olympic Boulevard and saw a Sheriff unit

stopped on Townsend Avenue north of Olympic Boulevard. He conducted a U-turn and began to drive northbound on Townsend Avenue. Deputy Forlano said Townsend Avenue was a narrow street with vehicles parked along the curb on both sides of the street. As he drove northbound a Cadillac SUV drove southbound toward his vehicle at approximately five to ten miles per hour. The SUV collided into the front of his vehicle in a driver side to driver side fashion. Deputy Forlano reversed his vehicle and ordered the driver to the SUV to stop.

The driver of the SUV accelerated southbound sideswiping his patrol car and a vehicle parked along the west side of the street. As the SUV passed Deputy Forlano's vehicle and the driver's doors were parallel, Suspect Osvaldo Ureta held a small black semi-auto handgun in his right hand and pointed it at Deputy Forlano. Both Suspect Ureta's and Deputy Forlano's driver door windows were down. Suspect Ureta continued to drive southbound and then turned westbound onto Olympic Boulevard. Deputy Forlano backed his vehicle onto Olympic Boulevard and began to travel westbound to follow Suspect Ureta.

Deputy Forlano said as he backed his vehicle he began to broadcast radio traffic. He said he broadcast the vehicle as an assault with a deadly weapon because of the handgun pointed at him. Once on Olympic Boulevard he could see Suspect Ureta had driven approximately one block and was traveling at a high rate of speed. He began to follow Suspect Ureta with his overhead lights and siren activated. Deputy Forlano said near the intersection of Olympic Boulevard and Indiana Street another patrol car pulled between his vehicle and Suspect Ureta's vehicle and began to pursue the SUV. As Deputy Forlano pursued the SUV, he was the second patrol car in the pursuit. Suspect Ureta drove northbound Indiana Street. Deputy Forlano broadcast the pursuit and then had Deputy Mendoza broadcast the pursuit in the area of Whittier Boulevard and Lorena Street since he was driving. He said during the pursuit Suspect Ureta did not follow the rules of the road and he lost sight of Suspect Ureta's vehicle as he made various turns.

As the pursuit continued southbound Concord Street Deputy Forlano told Deputy Mendoza to have the Aero unit broadcast the pursuit. He said Suspect Ureta entered the southbound 5 Freeway at Beswick Street. Deputy Forlano said Suspect Ureta cut people off when he traveled from the slow lane to the fast lane. He said Suspect Ureta then traveled from the fast lane to an off-ramp. Deputy Forlano could not recall the name of the off-ramp, at which time he became the lead pursuit vehicle.

Deputy Forlano said after exiting the 5 Freeway, he pursued Suspect Ureta southbound Sunol Drive to eastbound Union Pacific Avenue. Suspect Ureta turned southbound Marianna Avenue onto westbound Triggs Street. As Deputy Forlano completed his turn onto westbound Triggs, Suspect Ureta came to almost a complete stop and Deputy Forlano rear ended Suspect Ureta's vehicle at approximately fifteen miles per hour. He said he did not broadcast that he had been involved in a traffic collision. Suspect Ureta continued westbound and then turned northbound on a street that is the west border for

a park, Bonnie Beach Place. Deputy Forlano said Suspect Ureta then turned eastbound Union Pacific Avenue.

Deputy Forlano said Suspect Ureta's driver opened at least twice as he drove eastbound on Union Pacific Avenue. He pursued Suspect Ureta northbound on Sunol Drive from Union Pacific Avenue and staggered his vehicle to the driver's side of Suspect Ureta's vehicle since Suspect Ureta had previously braked hard. Deputy Forlano said Suspect Ureta turned from northbound Sunol Drive to westbound Boswell Place and braked hard again.

Deputy Forlano veered to the left of Suspect Ureta's vehicle. He said the front end of his patrol car stopped in the area of B-pillar, which supports the driver and rear passenger door. Deputy Forlano said he did not think his vehicle came into contact with Suspect Ureta's vehicle until after the shooting had occurred. Deputy Forlano saw Suspect Ureta turn toward the left and raise his right shoulder. Deputy Forlano leaned toward Deputy Mendoza and began to shoot his Department issued Beretta at Suspect Ureta because he believed Suspect Ureta would lean out of his window and shoot at them, because Suspect Ureta had previously pointed a handgun at him.

Deputy Forlano said he could not recall drawing his firearm. While seated Deputy Forlano fired through Deputy Mendoza's open door window. He could not recall if Deputy Mendoza was shooting at the same time, but knew deputy Mendoza was seated next to him. Deputy Forlano estimated he fired six to eight rounds and stopped shooting when it appeared Suspect Ureta's body went limp and he slouched forward. He recalled hearing shots coming from the passenger side of the SUV.

Deputy Forlano exited his driver door and began to give verbal orders to Suspect Ureta and he used the area of his driver's door for cover and concealment. He saw Suspect Ureta manipulate the gear shift on the steering column with his right hand. He said Suspect Ureta's vehicle rocked back and forth. Deputy Forlano said additional deputies arrived and he told them an arrest team needed to be formed. The deputies approached Suspect Ureta's door from the front of Deputy Forlano's vehicle. Deputy Forlano could see the deputies were struggling to open the driver door.

Deputy Forlano said once Suspect Ureta was pulled from his vehicle, he requested rescue to respond to the scene and that it was safe for them to approach.

Deputy Raymond Mendoza

Homicide investigators interviewed Deputy Mendoza on February 15, 2011, and March 3, 2011. IAB investigators reviewed the audio recordings of the interviews and determined that the information contained on pages 59-62 and 80-81 of the Homicide Investigation

Book **[EXHIBIT A]** was an accurate summarization of the interviews. In accordance with Department protocol, Deputy Mendoza did not author a report regarding this incident. IAB investigators conducted an interview with Deputy Mendoza on May 5, 2011.

*During Deputy Mendoza's IAB interview two photographs were used for clarification **[EXHIBIT C]**. The photographs were printed from the crime scene photo discs **[EXHIBIT J]**.*

Deputy Raymond Mendoza said on February 14, 2011, he was assigned to Unit 25A with his partner Anthony Forlano. Deputy Forlano was the driver and Deputy Mendoza was the bookman. Deputy Mendoza said as they drove eastbound on Olympic Boulevard they passed Townsend Avenue. Deputy Mendoza saw a patrol car on Townsend Avenue, so he instructed Deputy Forlano to turn around, so that they could check on the patrol car. As they drove northbound on Townsend Avenue, Deputy Mendoza saw a white Cadillac Escalade traveling southbound toward them. He recalled the last three digits of the license plate and began to compare it to an earlier stolen vehicle call on the MDT. Deputy Mendoza told Deputy Forlano the approaching Cadillac was possibly stolen.

As the two vehicles approached, the Cadillac Escalade struck Deputy Mendoza's vehicle in a driver headlight to driver headlight fashion. He said Deputy Forlano stopped their vehicle and told the driver of the Cadillac to pull over. The Cadillac continued southbound and as the driver doors were in line, Suspect Osvaldo Ureta held a small semi-auto black handgun in his right hand and pointed it toward the deputies. Both Deputy Forlano's driver door window and Suspect Ureta's driver door window were open. He thought Suspect Ureta was going to shoot them, so he leaned forward and drew his handgun. Suspect Ureta accelerated and sideswiped their patrol car. Deputy Mendoza believed he yelled "Gun!", and he saw Deputy Forlano lean toward his steering wheel obstructing his view of Suspect Ureta.

Deputy Mendoza watched Suspect Ureta turn westbound onto Olympic Boulevard. Deputy Forlano reversed their vehicle onto Olympic Boulevard and began to drive westbound after Suspect Ureta. Deputy Forlano broadcast on Sheriff's radio they were in pursuit. As Deputy Forlano drove westbound Olympic Boulevard Deputy Mendoza saw a patrol car traveling eastbound Olympic Boulevard conduct a U-turn and begin to follow Suspect Ureta's vehicle. As Suspect Ureta continued to flee from the pursuing patrol cars, Deputy Mendoza's vehicle was the secondary pursuit vehicle.

Deputy Mendoza said approximately one minute into the pursuit he assumed the broadcast responsibility from Deputy Forlano. He estimated his vehicle traveled approximately sixty-five to seventy miles per hour on surface streets such as Whittier Boulevard and Olympic Boulevard. He also estimated his vehicle traveled seventy-five to eighty miles per hour on the freeway during the pursuit.

Deputy Mendoza said the pursuit entered the southbound 5 Freeway. While southbound on the 5 Freeway the lead pursuit vehicle was located in the number one lane following the suspect vehicle. Deputy Mendoza said his vehicle traveled southbound positioned in the second or middle lane and when Suspect Ureta drove to the slow lane Deputy Mendoza's vehicle became the lead pursuit vehicle. Suspect Ureta exited the Olympic Boulevard-Sunol Drive off-ramp. He said Suspect Ureta drove southbound Sunol Drive past Union Pacific Avenue and then westbound on Tuttle Street.

Deputy Mendoza said Suspect Ureta drove northbound Downey Road or Bonnie Beach Place to eastbound Union Pacific Avenue. As Suspect Ureta drove eastbound Union Pacific Avenue, he stopped twice and it appeared he was going to lunge out of his vehicle. Deputy Mendoza described Suspect Ureta's driving as repeatedly slowing down and speeding up. Deputy Mendoza said west of Sunol Drive Suspect Ureta slammed on his brakes, and Deputy Forlano attempted to stop, but their vehicle collided into the rear of Suspect Ureta's vehicle. Neither Deputy Forlano's nor Deputy Mendoza's air bags deployed.

Suspect Ureta accelerated and turned northbound Sunol Drive. Suspect Ureta drove northbound Sunol Drive he braked hard, causing Deputy Mendoza's patrol car to close the distance. Suspect Ureta then turned left onto Boswell Place. As Suspect Ureta turned westbound he braked abruptly fifteen to twenty feet west of Sunol Drive. Deputy Mendoza's patrol car was to the left of Suspect Ureta's vehicle. He estimated the front of his vehicle was near Suspect Ureta's left passenger door. Deputy Mendoza said as the vehicles stopped, he was behind Suspect Ureta's driver seat. He did not recall his patrol car colliding with Suspect Ureta's vehicle as the two vehicles stopped.

Suspect Ureta turned his body toward Deputy Mendoza and Deputy Forlano and began to raise his right arm. Deputy Mendoza said he feared Suspect Ureta was going to shoot him, so he fired his Department issued Beretta handgun from his seated position at Suspect Ureta two to three times at a distance of five to eight feet. Deputy Mendoza's passenger door window as down and Deputy Forlano also shot through the window. Deputy Mendoza said he aimed at Suspect Ureta's upper body shooting one handed and he projected his weapon outside of the patrol car. He was aware there were homes in his backdrop, but was unaware if there were any people in the area. Deputy Mendoza estimated Deputy Forlano fired eight to ten rounds at Suspect Ureta. He recalled being hit by shell casings during the shooting. During the shooting Deputy Mendoza was unaware there was a patrol car along the north side of Suspect Ureta's vehicle. He recalled Suspect Ureta becoming motionless.

Once the shooting stopped, Deputy Forlano exited his driver door. Deputy Mendoza also exited Deputy Forlano's door fearing he could become trapped if he exited his door. Deputy Mendoza took a position of cover at the rear of his vehicle and Deputy Forlano positioned himself near their vehicle's driver door. Deputy Mendoza and Deputy Forlano ordered

Suspect Ureta to show his hands. He recalled Suspect Ureta attempted to manipulate the steering column gear selector with his right hand and it appeared Suspect Ureta's vehicle was in neutral because it was rolling.

Deputy Mendoza said additional deputies responded and an arrest team was formed. Deputy Mendoza moved to the driver's door jamb area of his patrol car. He said Deputy Forlano initially suggested forming an arrest team and Deputy [redacted] took charge of the arrest team. He said the arrest team approached Suspect Ureta's vehicle from the front of his patrol car. Deputy Mendoza provided cover with his weapon until the team crossed in front of his line of fire.

Deputy Mendoza said as the arrest team approached Suspect Ureta, he dropped his hands toward his waistband or crotch area and Deputy [redacted] fired the Taser. He could hear the sound of the Taser, but he could not provide an estimate of how long it was activated. Deputy Mendoza said Suspect Ureta was pulled from the vehicle, placed on the ground and handcuffed. He described Suspect Ureta's behavior as noncompliant because he moved around and attempted to sit up.

Deputy Mendoza said he did not fire his weapon during the pursuit nor did he witness any other deputy personnel fire their weapons during the pursuit. He did not see Suspect Ureta fire a weapon during the pursuit.

Deputy [redacted]

Homicide investigators interviewed Deputy [redacted] on February 15, 2011, and March 8, 2011. IAB investigators reviewed the audio recordings of the interviews and determined that the information contained on pages 66-67 and 82-83 of the Homicide Investigation Book **[EXHIBIT A]** was an accurate summarization of the interviews. In accordance with Department protocol, Deputy [redacted] did not author a report regarding this incident. IAB investigators conducted an interview with Deputy [redacted] on May 5, 2011.

*During Deputy [redacted] IAB interview two photographs and one diagram were used for clarification **[EXHIBIT D]**. The photographs were printed from the crime scene photo discs **[EXHIBIT J]**.*

Deputy [redacted] said on February 14, 2011, he was assigned to Unit 24 on the PM shift with Deputy Vincent Moran. Deputy [redacted] was the driver and Deputy Moran was the bookman. Deputy [redacted] said he was driving eastbound on Olympic Boulevard in the area of Ditman Avenue. He saw a large white SUV driving westbound Olympic Boulevard at a high rate of speed. He also saw a patrol car driving westbound with its overhead red and blue lights and siren activated. Deputy [redacted] assumed the SUV was fleeing from the patrol car and made a U-turn to catch up to the SUV. He caught

up to the SUV at Olympic Boulevard and Indiana Street. Deputy [redacted] heard Unit 25A broadcast that the vehicle was wanted for assault with a deadly weapon on a peace officer and were in vehicle pursuit. He activated his overhead lights and siren and became the lead pursuit vehicle as the initiating pursuit unit caught up.

Deputy [redacted] pursued the suspect vehicle on surface streets through residential and business districts. Eventually the pursuit proceeded onto the southbound 5 Freeway. He estimated the fastest speed his vehicle traveled on the freeway was seventy miles an hour. Deputy [redacted] also estimated the fastest he drove on surface streets such as Olympic Boulevard and Whittier Boulevard was fifty miles per hour. Deputy [redacted] did not recall witnessing a collision between the suspect vehicle and any deputies vehicles during the pursuit.

As Deputy [redacted] pursued the suspect vehicle southbound on the 5 Freeway, the suspect drove from the right portion of the freeway to the left portion of the freeway. He temporarily lost sight of the suspect vehicle in traffic. As the suspect vehicle approached an off-ramp, it exited and the second sheriff vehicle became the lead pursuit vehicle as Deputy [redacted] maneuvered through traffic. As the pursuit continued through residential and business district streets, the suspect vehicle traveled northbound on Sunol Drive and turned westbound on Boswell Place. He said the suspect vehicle stopped on Boswell Place and Deputy [redacted] conducted a wide turn and had difficulty stopping. He could smell the odor of his vehicle's brakes. Deputy [redacted] vehicle stopped on the north side of the suspect's vehicle. He estimated his vehicle's front end was near the suspect's vehicle front right tire with a distance of two to three feet separating the two vehicles. Deputy [redacted] heard gunshots and glass breaking.

He told Deputy Moran to exit their vehicle. Deputy [redacted] saw Suspect Osvaldo Ureta seated in the driver seat of the SUV, turn toward him and he thought Suspect Ureta was shooting at him. Deputy [redacted] was aware there was a patrol car on the south side of Suspect Ureta's vehicle. He also feared Suspect Ureta would attempt to move his vehicle, crushing him between the vehicles as he exited the patrol car. Deputy [redacted] fired his Department issued Beretta three to four times at Suspect Ureta through the SUV's right rear passenger window. Deputy [redacted] estimated he was one to two feet from the window at the time of the shooting. Deputy [redacted] was unsure if Suspect Ureta had the passenger window down or if the window had been shattered during the shooting. He recalled seeing the rear of Suspect Ureta's seat as he fired. He was aware there were houses and parked vehicles in the back drop, but he did not see people on the street. Deputy [redacted] did not hear any verbal commands issued to Suspect Ureta as the shooting occurred, nor did he have an opportunity to give any commands to Suspect Ureta because he felt Suspect Ureta was attempting to kill him.

Deputy [redacted] moved from between his car and Suspect Ureta's vehicle to the patrol car located on the south side of Suspect Ureta's vehicle. He walked behind Suspect

Ureta's vehicle to move to the south side because he was concerned about a crossfire situation. As Deputy [redacted] moved he told Deputy Moran to come with him. Deputy [redacted] positioned himself on the south side of Deputy Forlano's patrol car, south of Suspect Ureta's vehicle. He said Suspect Ureta remained seated in the driver seat of his vehicle and was manipulating the gear shift lever on the steering column with his right hand. He described Suspect Ureta's vehicle as moving one to two inches forward and back.

Deputy [redacted] said the first assisting unit arrived thirty to forty seconds after the shooting had ceased. He said an arrest team was formed, but he was not a member of the team. Deputy [redacted] positioned himself on the south sidewalk on Boswell Place as the arrest team approached Suspect Ureta's vehicle. Deputy [redacted] said Suspect Ureta remained seated in his vehicle, but he could not see his actions. He heard the Taser activate, but did not see the Taser darts impact Suspect Ureta. Deputy [redacted] heard the Taser activate for one to two seconds. He saw Suspect Ureta's door opened and the arrest team deputies having difficulty extracting Suspect Ureta because of the proximity of the vehicles. Deputy [redacted] did not see the handcuffing of Suspect Ureta.

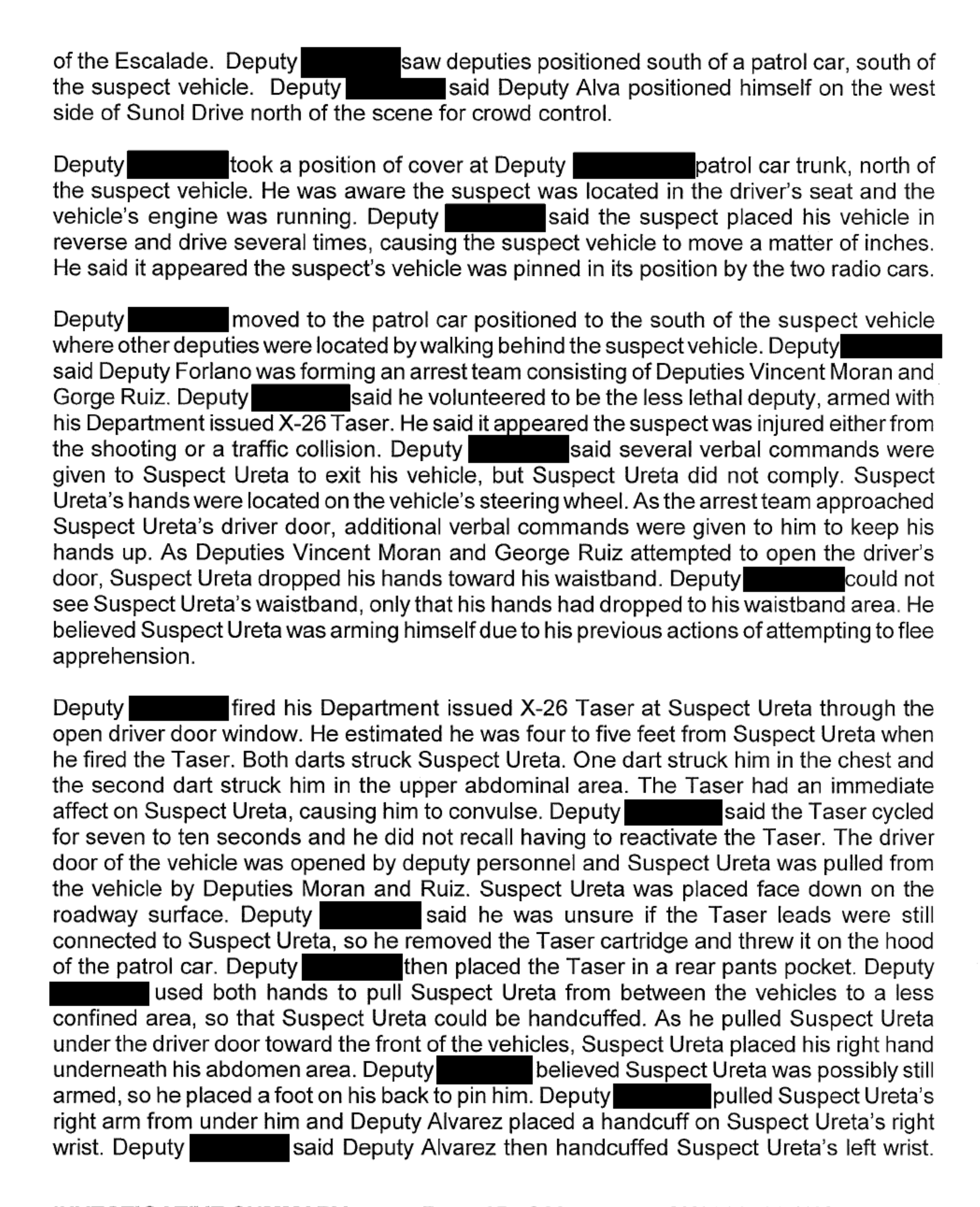
Deputy [redacted] said he never fired his weapon during the vehicle pursuit. He did not witness any other deputy personnel or Suspect Ureta shoot during the vehicle pursuit.

Deputy [redacted]

Homicide investigators interviewed Deputy [redacted] on February 15, 2011. IAB investigators reviewed the audio recording of the interview and determined that the information contained on pages 62-63 of the Homicide Investigation Book **[EXHIBIT A]** was an accurate summarization of the interview. Deputy [redacted] authored a supplemental report regarding his actions and observations, which can be found on pages 62-63 of the Homicide Investigation Book. IAB investigators conducted an interview with Deputy [redacted] on May 16, 2011.

*During Deputy [redacted] IAB interview one diagram and Taser download records were used for clarification. **[EXHIBIT E]**. The photographs were printed from the crime scene photo discs **[EXHIBIT J]**.*

Deputy [redacted] said on February 14, 2011, he was assigned to Unit 20N12 and was partnered with Deputy Luis Alva. Deputy [redacted] responded to Boswell Place and Sunol Drive after hearing deputies request assistance for a vehicle pursuit and a deputy involved shooting. Deputy [redacted] and his partner were located in the city of Maywood at the time of the assistance request and did not participate in the vehicle pursuit. Upon arriving at Boswell Place and Sunol Drive, Deputy [redacted] saw a white Cadillac Escalade stopped facing west on Boswell Place west of Sunol Drive with two patrol cars positioned at the rear



of the Escalade. Deputy [redacted] saw deputies positioned south of a patrol car, south of the suspect vehicle. Deputy [redacted] said Deputy Alva positioned himself on the west side of Sunol Drive north of the scene for crowd control.

Deputy [redacted] took a position of cover at Deputy [redacted] patrol car trunk, north of the suspect vehicle. He was aware the suspect was located in the driver's seat and the vehicle's engine was running. Deputy [redacted] said the suspect placed his vehicle in reverse and drive several times, causing the suspect vehicle to move a matter of inches. He said it appeared the suspect's vehicle was pinned in its position by the two radio cars.

Deputy [redacted] moved to the patrol car positioned to the south of the suspect vehicle where other deputies were located by walking behind the suspect vehicle. Deputy [redacted] said Deputy Forlano was forming an arrest team consisting of Deputies Vincent Moran and Gorge Ruiz. Deputy [redacted] said he volunteered to be the less lethal deputy, armed with his Department issued X-26 Taser. He said it appeared the suspect was injured either from the shooting or a traffic collision. Deputy [redacted] said several verbal commands were given to Suspect Ureta to exit his vehicle, but Suspect Ureta did not comply. Suspect Ureta's hands were located on the vehicle's steering wheel. As the arrest team approached Suspect Ureta's driver door, additional verbal commands were given to him to keep his hands up. As Deputies Vincent Moran and George Ruiz attempted to open the driver's door, Suspect Ureta dropped his hands toward his waistband. Deputy [redacted] could not see Suspect Ureta's waistband, only that his hands had dropped to his waistband area. He believed Suspect Ureta was arming himself due to his previous actions of attempting to flee apprehension.

Deputy [redacted] fired his Department issued X-26 Taser at Suspect Ureta through the open driver door window. He estimated he was four to five feet from Suspect Ureta when he fired the Taser. Both darts struck Suspect Ureta. One dart struck him in the chest and the second dart struck him in the upper abdominal area. The Taser had an immediate affect on Suspect Ureta, causing him to convulse. Deputy [redacted] said the Taser cycled for seven to ten seconds and he did not recall having to reactivate the Taser. The driver door of the vehicle was opened by deputy personnel and Suspect Ureta was pulled from the vehicle by Deputies Moran and Ruiz. Suspect Ureta was placed face down on the roadway surface. Deputy [redacted] said he was unsure if the Taser leads were still connected to Suspect Ureta, so he removed the Taser cartridge and threw it on the hood of the patrol car. Deputy [redacted] then placed the Taser in a rear pants pocket. Deputy [redacted] used both hands to pull Suspect Ureta from between the vehicles to a less confined area, so that Suspect Ureta could be handcuffed. As he pulled Suspect Ureta under the driver door toward the front of the vehicles, Suspect Ureta placed his right hand underneath his abdomen area. Deputy [redacted] believed Suspect Ureta was possibly still armed, so he placed a foot on his back to pin him. Deputy [redacted] pulled Suspect Ureta's right arm from under him and Deputy Alvarez placed a handcuff on Suspect Ureta's right wrist. Deputy [redacted] said Deputy Alvarez then handcuffed Suspect Ureta's left wrist.

Deputy [redacted] did not observe any additional force used on Suspect Ureta by Department members.

TRANSCRIBED WITNESS STATEMENTS

Deputy Vincent Moran

Homicide investigators interviewed Deputy Vincent Moran on February 15, 2011, and March 8, 2011. IAB investigators reviewed the audio recordings of the interviews and determined that the information contained on pages 58-59 of the Homicide Investigation Book **[EXHIBIT A]** was an accurate summarization of the interviews. Deputy Moran authored a supplemental report regarding his actions and observations, which can be found on pages 20-21of the Homicide Investigation Book. IAB investigators conducted an interview with Deputy Moran on May 5, 2011.

During Deputy Moran's IAB interview one map, one diagram and two photographs were used for clarification ***[EXHIBIT F]****. The photographs were printed from the crime scene photo discs* ***[EXHIBIT J]****.*

Deputy Moran told investigators on February 14, 2011, he was assigned to Unit 24 working PM shift with Deputy [redacted] Deputy [redacted] was driving and Deputy Moran was the bookman. Deputy Moran was on training and Deputy [redacted] had been his [redacted] for approximately two and a half months. Deputy Moran said he and his partner were driving eastbound on Olympic Boulevard near Ditman Avenue Deputy Moran saw a white Cadillac Escalade driving westbound on Olympic Boulevard, weaving in and out of traffic at a high rate of speed past their vehicle. Deputy [redacted] conducted a U-turn to follow the Cadillac. As they were behind the Cadillac, Deputy Moran heard Unit 25A on the dispatch frequency announcing they were in pursuit of an assault with a deadly weapon on a police officer vehicle.

Deputy Moran said his vehicle's overhead lights and siren were activated immediately as they pursued the vehicle. Deputy Moran said he did not activate the overhead lights or siren and he did not announce on the radio that they were involved in the pursuit. He said the Cadillac wove in and out of traffic, nearly hitting pedestrians and other vehicles. The Cadillac failed to stop for red traffic lights and made sharp turns on residential and commercial streets. Deputy Moran said he could not recall the various street names, but the pursuit eventually entered the southbound 5 Freeway. During the vehicle pursuit on the southbound 5 Freeway the suspect vehicle traveled from the right portion of the freeway to the left portion of the freeway.

Deputy Moran's vehicle remained in the area of the number three lane and could not safely follow the suspect vehicle's lane changing. Deputy Moran was aware an Aero unit was

overhead broadcasting the vehicle pursuit and observing the suspect vehicle's movements, but could not recall if the helicopter was illuminating the suspect vehicle. He said his vehicle was hindered by traffic and a second patrol car passed them on the right portion of the freeway and became the lead pursuit vehicle as the suspect vehicle exited at Olympic Boulevard. Deputy Moran said the suspect vehicle drove south on Sunol Drive after exiting the freeway. He said he saw the suspect vehicle sideswipe the lead pursuit vehicle. Deputy Moran described it appeared the patrol car was struck in the area of the front right quarter panel as the suspect vehicle swerved. The speed at the time of the collision was between thirty and forty-five miles an hour. At the time of the collision, he estimated his vehicle was twelve car lengths behind.

IAB Note: No other deputy involved in the vehicle pursuit, recalled this vehicle collision.

As the pursuit continued the suspect vehicle eventually traveled westbound Union Pacific Avenue onto Sunol Drive. As the suspect vehicle turned, Deputy Moran said the right rear tire struck the northeast curb and caused the rear tire to pop. The suspect vehicle continued north on Sunol Drive and then turned westbound onto Boswell Place. As the suspect vehicle turned onto Boswell Place, the lead pursuit vehicle collided with the driver side of the suspect vehicle. Deputy Moran estimated the pursuit lasted less than one minute from the time it exited the freeway until the vehicle pursuit stopped.

Deputy Moran's vehicle pulled to the right side of the suspect vehicle and the suspect vehicle turned into the left side of his vehicle. Deputy Moran said the suspect vehicle attempted to back up. As Deputy Moran's vehicle came to a rest, he heard three to five gunshots and glass breaking. He pulled his shotgun from the vehicle's shotgun rack and exited his passenger door. Deputy Moran moved to the right rear portion of his patrol car as the gunshots ceased. Deputy Moran said he did not fire the shotgun, due to his concern of a crossfire situation with the deputies located on the opposite side of the suspect vehicle. Deputy Moran said Deputy [redacted] had exited the driver door, but Deputy Moran never saw Deputy [redacted] shoot.

Once the shooting had stopped Deputy [redacted] moved toward the patrol car located on the south side of the suspect vehicle. Deputy [redacted] called Deputy Moran to that location. Deputy Moran moved around the rear of the suspect vehicle to join the other deputies. Deputy Moran said the scene of the pursuit termination and shooting was dark and he could not recall if street lights were lite. As Deputy Moran arrived at the patrol car south of the suspect vehicle, he could see Suspect Osvaldo Ureta seated in the driver seat of the Cadillac Escalade. Suspect Ureta's left hand was on the steering wheel attempting to shift the vehicle with his right hand.

Deputy Moran heard a deputy ordering Suspect Ureta to show his hands. As Deputy Moran watched Suspect Ureta he saw him drop his hands out of view, below the top of the door. Deputy Moran said an arrest team was formed, but he did not know which deputy organized the team. He said a sergeant was not present as the team formed. Deputy Moran estimated three to five minutes passed from the time the shooting stopped until the arrest team approached Suspect Ureta's vehicle.

Deputy Moran passed his shotgun to another deputy, so he could keep his hands free. Deputy Moran said he was assigned as a contact deputy, who would take Suspect Ureta into custody. Deputy Moran said the team approached Suspect Ureta's door in a side by side configuration. Deputy Moran attempted to open Suspect Ureta's door, but could not because it was locked or jammed. Deputy Moran said Suspect Ureta was ordered to raise his hands and he failed to comply. A deputy on the arrest team armed with a Taser fired the Taser at Suspect Ureta. He saw a Taser dart strike Suspect Ureta in the upper body. Deputy Moran estimated the Taser was activated for approximately ten seconds and it caused Suspect Ureta to tremble. A deputy on Deputy Moran's right side reached into the vehicle and opened the door from the inside. Deputy Moran grabbed Suspect Ureta's left hand, pulled him from the vehicle and placed him on the ground face down. Deputy Moran said Suspect Ureta's right hand was underneath his body. He pulled Suspect Ureta's hands behind his back and controlled them. Deputy Moran said it was a tight fit between the south patrol car and Suspect Ureta's vehicle.

Deputy Moran told the arrest team members there was not enough space for him to handcuff Suspect Ureta. Deputy Moran said another deputy in front of Suspect Ureta's open door directed him to let go of Suspect Ureta, so that he could be pulled forward for handcuffing. Deputy Moran said he let go of Suspect Ureta and a deputy pulled him toward the front bumper of the patrol car where he was handcuffed.

Deputy Moran said he did not see any deputies or Suspect Ureta shoot any weapons during the vehicle pursuit. Deputy Moran was shown a photograph **[EXHIBIT F]** of the front of his patrol car showing collision damage to the front right portion of the patrol car and the vehicle's push bars. Deputy Moran said he did not know how or when during the pursuit the damage occurred. He said the damage was not present at the start of his shift.

Deputy Audrey Alvarez

*During Deputy Alvarez' IAB interview one diagram was used for clarification **[EXHIBIT G]**.*

IAB investigators interviewed Deputy Audrey Alvarez on May 26, 2011. Deputy Alvarez authored a supplemental report regarding her actions and observations, contained on pages 27-29 of the Homicide Investigation Book **[EXHIBIT A]**. IAB investigators reviewed her supplemental report and determined it was consistent with her IAB interview.

Deputy Alvarez said on February 14, 2011, she was working with Deputy Darren Lass as Unit 21. Deputy Alvarez heard deputies requesting assistance and were in pursuit. Deputy Alvarez heard that the pursuit had terminated at Sunol Drive and Boswell Place, so she and her partner responded to the location, northbound on Sunol Drive. Deputy Alvarez estimated from the time the pursuit had stopped until she and her partner arrived, five minutes had lapsed. She and her partner were not involved in the vehicle pursuit. Upon arriving, Deputy Alvarez saw two patrol cars surrounding the suspect's vehicle.

Deputy Alvarez saw deputy personnel positioned south of the patrol car on the south side of the suspect vehicle. Deputy Alvarez said she saw the suspect vehicle moving less than five miles per hour. She described the suspect vehicle moving forward and reverse and that the patrol cars close to suspect vehicle moved a little bit as the suspect vehicle moved. Deputy Alvarez said Suspect Ureta's vehicle engine was revving and it appeared he wanted to get away.

She recalled Deputy Forlano said Suspect Ureta needed medical aid. Deputy Alvarez said Deputy Moran, Deputy Ruiz, Deputy [redacted] and herself formed an arrest team. Deputy Alvarez said Deputies Moran and Ruiz were designated to pull Suspect Ureta from the vehicle. Deputy [redacted] was designated as the less lethal deputy with a Taser. Deputy Alvarez was designated as the handcuffing deputy. Deputy Alvarez could not remember if a field sergeant was present as the arrest team was formed. The team approached Suspect Ureta's vehicle on the driver side with deputies Moran and Ruiz in the lead followed by Deputy [redacted] Deputy Alvarez said she was the last deputy in the team line. She said Deputy [redacted] was in front of her armed with a Taser. Deputy Alvarez said she positioned herself near the front left quarter panel of the patrol car positioned directly south of Suspect Ureta's vehicle due to the confined area near the driver door.

Deputy Alvarez said it was hard to see Suspect Ureta because of the deputies in front of her. She said Suspect Ureta's door was stuck and she did not know which deputy opened the door. She heard the Taser pop and the sound of the Taser activating, but she did not see the Taser darts strike Suspect Ureta. Deputy Alvarez said Deputies Moran, Ruiz and [redacted] gave Suspect Ureta verbal commands. Suspect Ureta's vehicle was illuminated by street lights and head lights from a patrol car. Deputy Alvarez could not recall if the Aero unit over head was illuminating Suspect Ureta's vehicle.

Deputy Alvarez did not see how Suspect Ureta was pulled out of his vehicle, but Deputy [redacted] dragged Suspect Ureta out of the confined area. Suspect Ureta's right hand was underneath him. Deputy [redacted] placed a knee on Suspect Ureta's back and pulled his right behind his back. Deputy Alvarez placed a handcuff on Suspect's Ureta's right wrist. Deputy Alvarez pulled Suspect Ureta's left arm behind his back and handcuffed it to his right wrist. Deputy Alvarez said Suspect Ureta did not resist the handcuffing, but he was squirming around. Deputy Alvarez said she did not observe any use of force by Department members other than the use of the Taser.

Deputy George Ruiz

*During Deputy Ruiz' IAB interview one diagram was used for clarification **[EXHIBIT H]**.*

IAB investigators interviewed Deputy George Ruiz on May 26, 2011. Deputy Ruiz authored a supplemental report regarding his actions and observations, contained on pages 22-23 of the Homicide Investigation Book **[EXHIBIT A]**. IAB investigators reviewed his supplemental report and determined it was consistent with his IAB interview.

Deputy Ruiz said on February 14, 2011, he was working East Los Angeles patrol with Deputy Silvano Garcia and was a passenger. As the two drove northbound on Townsend Avenue north of Olympic Boulevard, a white Cadillac Escalade drove ten to fifteen miles per hour southbound past them. Deputy Ruiz watched the Escalade drive southbound from his vehicle's mirrors. Deputy Ruiz saw Unit 25A begin to drive northbound on Townsend Avenue. Deputy Ruiz heard Unit 25A and the SUV collide. Deputy Ruiz estimated that his vehicle was twenty yards from the collision and it was dark. After hearing the sound of the vehicles colliding, Deputy Ruiz heard radio traffic broadcast by Unit 25A announcing that they were in pursuit of an assault with a deadly weapon on a peace officer vehicle. Deputy Ruiz said that Townsend Avenue is U shaped and a narrow street, so he and his partner continued forward to Olympic Boulevard.

As Deputy Ruiz' patrol car reached Olympic Boulevard he heard radio traffic stating the pursuit was traveling southbound on the 5 Freeway. Deputy Ruiz' vehicle traveled onto the southbound 5 Freeway to within 100 to 200 yards of patrol cars pursuing the SUV. Deputy Ruiz said he broadcast that he had arrived at the pursuit. As Deputy Ruiz broadcast his vehicle's arrival, the suspect vehicle rapidly exited the freeway with a patrol car behind it. Deputy Ruiz said he and his partner could not exit the freeway safely and had to proceed to the next off-ramp, which he believed was Washington Boulevard.

As Deputy Ruiz and his partner attempted to reenter the pursuit, he heard a rescue request for the suspect. Deputy Ruiz said he was not aware that deputies had been involved in a shooting until he arrived at the termination of the pursuit.

As Deputy Ruiz arrived at the intersection of Boswell Place and Sunol Drive, he exited his patrol car with a shotgun and walked to Unit 25A, which was located south of the suspect vehicle. Deputy Ruiz positioned himself with other deputy personnel, located on the south side of Unit 25A's vehicle. From Unit 25A's vehicle, Deputy Ruiz could see the driver side of the suspect vehicle. Deputy Ruiz could see Suspect Ureta inside his vehicle with his hands on the steering wheel and that he was bleeding. Deputy Ruiz also heard the suspect vehicle engine revving and saw it moving slightly. Suspect Ureta's vehicle's reverse lights and brake lights were activated at the same time and Suspect Ureta's vehicle moved slightly forward and backward. Deputy Ruiz heard verbal commands shouted at Suspect

Ureta, telling him to turn off the vehicle and exit. Deputy Forlano directed Deputies Ruiz, Moran, Alvarez and [redacted] to extract Suspect Ureta from the vehicle.

Deputy Ruiz said he handed his shotgun to Deputy Forlano and told the other deputies that he would open the driver door. Deputy Ruiz lead the arrest team toward the driver door of the suspect vehicle with his Beretta handgun pointed toward the suspect. Deputy Ruiz illuminated the suspect vehicle with a light mounted to his Berreta as he approached the driver door. Once Deputy Ruiz reached Suspect Ureta's vehicle door, he holstered his Berreta and attempted to open the driver door from the outside. Deputy Ruiz ordered Suspect Ureta in English, to show his hands and not to move. Suspect Ureta's door did not open, so Deputy Ruiz attempted to open the door from the inside. Suspect Ureta moved his hands from the steering wheel of the vehicle to his waistband area. Once Suspect Ureta moved his hands to his waistband area, Deputy [redacted] fired his Taser at Suspect Ureta through the open driver door window. Deputy Ruiz estimated he was one foot away from Suspect Ureta and the door separated them. The Taser caused Suspect Ureta to stop moving and Deputy Ruiz felt it was safe to extract Suspect Ureta from the vehicle.

Deputy Ruiz said Suspect Ureta was not being actively tased when he began to pull Suspect Ureta from the vehicle. Deputy Ruiz estimated Suspect Ureta was tased for a few seconds. Deputy Ruiz pulled Suspect Ureta from the vehicle and he was placed face down on the ground. Deputy [redacted] then pulled Suspect Ureta forward underneath the open driver door to an area with more room where he could be handcuffed. Deputy Ruiz said Deputy Alvarez handcuffed Suspect Ureta without further incident. After Suspect Ureta was handcuffed, he and his partner conducted an article search of the pursuit route, with the exception of the freeway portion.

Supervising Criminalist James Carroll

On August 8, 2011, Supervising Criminalist James Carroll assigned to the Los Angeles County Sheriff's Department Scientific Services Bureau was interviewed by IAB personnel regarding evidence item 16. Evidence item 16, is a fired cartridge case, head stamped "WIN 9MM LUGER". Evidence item 16 was determined to have been fired by Deputy Anthony Forlano's Beretta handgun. Evidence item 16 was located and recovered 142 feet south of the north curbline of Boswell Place and 8 feet, 7 inches east of the west curbline of Sunol Drive. Refer to pages 42 and 106 in the Homicide Investigation Book **[EXHIBIT A]**.

Supervising Criminalist Carroll explained evidence item 16 had signs of damage consisting of scrapes, abrasions and other repressions other than what the action of a firearm would create. He said there is no way to conclusively determine if the additional damage caused to evidence item 16 was created by the fired cartridge landing on a rough surface such as the roadway or if it was moved by other means such as embedding in the tread of a

vehicle's tire or the sole of a boot. Supervising Criminalist Carroll said evidence item 16 was matched to a Beretta pistol with the serial number BER[redacted]Z through the process of Comparison Microscopy, where test specimens are compared against evidence item 16. He said the comparison process is a common and standard technique.

Detective Silvano Garcia

On September 13, 2011, Detective Silvano Garcia participated in an IAB interview. Detective Garcia said on February 14, 2011, we was working Unit 23A with Deputy George Ruiz. Detective Garcia drove their patrol northbound on Townsend Avenue. As he drove, he saw a white SUV pass him traveling southbound. After the SUV passed his vehicle he heard it accelerate. Detective Garcia saw another patrol car driving northbound Townsend Avenue approximately twenty-five yards behind his vehicle.

Detective Garcia heard the sound of a traffic collision between the patrol car traveling northbound and the SUV. He said he did not see if the driver of the SUV pointed a handgun at the deputies in the patrol car. He described Townsend Avenue as a narrow U-shaped street. He continued driving forward through the U-shape of the street. As he drove, he could hear a sheriff unit broadcast that it was in vehicle pursuit. Detective Garcia drove through the U-shaped street and arrived on Olympic Boulevard. Once he arrived on Olympic Boulevard, he did not see either the patrol car or SUV that had previously been on Townsend Avenue.

Detective Garcia listened to his sheriff radio and drove in the direction of the vehicle pursuit and eventually entered the southbound 5 Freeway from Ditman Avenue. He drove to within one hundred yards of the last patrol car in the vehicle pursuit. He saw two to three patrol cars pursuing the SUV with their overhead lights and sirens activated. The SUV exited the Olympic Boulevard off-ramp, but he could not exit quickly enough to follow the pursuit, due to heavy traffic. He continued southbound on the 5 Freeway and exited at Washington Boulevard. Detective Garcia heard that the pursuit had terminated at Boswell Place and Sunol Drive and that a deputy involved shooting had occurred. He continued to respond to the pursuit termination location.

Detective Garcia estimated he arrived at Boswell Place and Sunol Drive seven to twelve minutes after the vehicle pursuit terminated. He saw what appeared to be sufficient deputies at the termination scene. Detective Garcia positioned his patrol car on Sunol Drive north of Boswell Place and he began to direct traffic and monitor the estimated twenty people that were in the neighborhood observing the incident. Detective Garcia said he did not participate in the arrest team nor did he observe any force used at the conclusion of the pursuit. Detective Garcia said he did not observe any gunfire from the suspect vehicle or any patrol cars during the vehicle pursuit. Detective Garcia said he and Deputy Ruiz performed an article search of the pursuit route, but did not locate anything.

[redacted]

[redacted] *was interviewed by Homicide investigators on February 19, 2011. His interview is contained on pages 69 and 70 of the Homicide Investigation Book* ***[EXHIBIT A]****. IAB investigator's attempted to locate Witness* [redacted] *for an additional interview, but were unsuccessful in locating him.*

[redacted] said he was walking south on Sunol Drive near the corner of Boswell Place. He saw a white Escalade traveling north on Sunol Drive south of Union Pacific Avenue. When the Escalade passed Union Pacific Avenue it nearly collided with a tractor trailer that was traveling east on Union Pacific Avenue, passing Sunol Drive. Witness [redacted] said the Escalade was followed by five patrol cars that had their emergency lights and sirens activated. He estimated the speed of the Escalade at approximately thirty-five miles per hour.

He said the Escalade made a wide turn west onto Boswell Place and appeared to lose control. The Escalade's passenger side collided with the driver's side of a patrol car that was also turning right onto Boswell Place.

When the Escalade stopped, Witness [redacted] saw Suspect Ureta attempting to exit the driver side of the vehicle. Suspect Ureta pushed the left portion of his upper body against the driver's door and moved his arms up and down. Witness [redacted] saw the deputies on the passenger side of the Escalade exit their vehicle. As the deputies exited, Witness [redacted] heard approximately five gunshots and he dropped to the ground.

Once the gunshots ceased, Witness [redacted] saw Suspect Ureta moving as he sat in the driver's seat. The deputies approached the Escalade and Suspect Ureta was removed from the vehicle. Witness [redacted] said the Escalade's front driver window and front passenger side window was down at the time of the incident. When the shooting occurred, Witness [redacted] stood at the south end of his property, in the driveway.

On August 4, 2011, IAB personnel conducted a canvas for additional potential witnesses related to witness accounts of hearing gunshots in the area of Union Pacific Avenue and Sunol Drive as the vehicle pursuit was occurring. Refer to pages 28, 30, 71 and 74 of the Homicide Investigation Book ***[EXHIBIT A]****. An attempt to contact* [redacted] *at* [redacted] *was unsuccessful, due to the location being vacant.*

[redacted]
DOB: [redacted] No phone

*IAB investigators contacted [redacted] to determine if she could provide additional information as to the exact location where she heard the three gunshots. Her Homicide interview is contained on page 74 of the Homicide Investigation Book **[EXHIBIT A]**. The interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.*

[redacted] said she was washing dishes in the kitchen, which is located in the northwest rear portion of her house. She said everyone else was in bed and she had two televisions on, one in the kitchen and one in the livingroom. Witness [redacted] said she heard three gunshots in the area south of Union Pacific Avenue. The gunshots were heard at the same time as the sirens. She did not look outside or exit her house. She did not hear any traffic collisions. Witness [redacted] said she thought the three sounds were gunshots because they were all at once and she described she did not think the sounds were fireworks because she would have expected to hear more. Witness [redacted] could not provide a specific location where the sound of the three gunshots originated from.

[redacted]
DOB: [redacted]

*On the date of the incident, it was documented that [redacted] heard an unknown number of gunshots with no further details. Refer to page 29 of the Homicide Investigation Book **[EXHIBIT A]**.*

[redacted] said she was inside her house in the living room. She heard the pursuit so she exited her house and stood in her driveway. Witness [redacted] saw the suspect's vehicle driving north on Sunol Drive past her house with two patrol cars chasing the suspect vehicle. Witness [redacted] said there was a big gap between the suspect's vehicle and the pursuing patrol car. She estimated the gap as ten feet and the vehicles were traveling at approximately sixty to sixty-five miles per hour.

She said the pursuit stopped at Boswell Place and she heard a lot of gunshots. Witness [redacted] did not hear any gunshots as the vehicles passed her house or south of her house. When the gunshots started Witness [redacted] returned to the inside of her house because she was scared. She said she did not see any accidents between the suspect's vehicle and the patrol cars. Witness [redacted] did not hear any verbal commands at the pursuit termination location. Initially, Witness [redacted] claimed the suspect was shooting at the police and the police were shooting at the suspect as the vehicle pursuit was occurring. Once Witness [redacted] was questioned in more detail, she did not see or hear her initial

claims.

[redacted]

On August 26, 2011, IAB investigators contacted [redacted] to see if further details could be obtained. Her previous interviews are contained on pages 28 and 72 of the Homicide Investigation Book **[EXHIBIT A]**.

[redacted] IAB interview was consistent with her Homicide interview. [redacted] added that she stood at the threshold of her east facing front door when she heard gunshots in the area of Union Pacific Avenue and Sunol Drive. She saw two patrol cars chasing a beige vehicle north on Sunol Drive. Witness [redacted] could not estimate the speed of the pursuit. She did not witness any collisions between the patrol cars and the beige vehicle. Witness [redacted] said as the three vehicles turned from northbound Sunol Drive onto westbound Boswell Place, she laid on the floor of her house. She heard approximately ten additional gunshots after laying on the floor. She added that her daughter [redacted] remained in the house behind her and never exited the house.

[redacted]
DOB: [redacted]

On the date of the incident, it was documented that no contact was made at [redacted] *Refer to page 30 of the Homicide Investigation Book **[EXHIBIT A]**.*

[redacted] said he heard sirens, but did not hear any gunshots and he did not see the vehicle pursuit.

[redacted]
DOB: [redacted]

On the date of the incident, it was documented that Ms. [redacted] *heard six gunshots with no further details. Refer to page 31 of the Homicide Investigation Book **[EXHIBIT A]**. This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.*

[redacted] said she was lying down watching television inside her house in the southeast bedroom. She said she heard six gunshots outside the front of her house. She did not see the shooting or the vehicle pursuit. When Witness [redacted] heard the gunshots, her reaction was to close the bedroom door and turn off the lights in the house. She did not hear any traffic collisions. Witness [redacted] did not exit the house and answered the

door when deputies knocked at her door later.

[redacted]
DOB: [redacted]

[redacted] *is the son of* [redacted]

[redacted] said he was inside a bedroom on the south side of his house at the time of the incident. He heard four or five gunshots, a pause then approximately three gunshots followed by an approximate five second pause followed by two more gunshots. Witness [redacted] did not exit his house nor did he see the shooting or the vehicle pursuit. Additionally, Witness [redacted] did not hear any traffic collisions at the time of the incident.

[redacted]
DOB: [redacted] No phone

[redacted] said he was in his livingroom at the time of the incident. He heard five to six gunshots, but did not see the shooting or vehicle pursuit.

[redacted]
DOB: [redacted]

This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.

[redacted] said she was inside her trailer at the time of the incident. She heard two to three gun shots, but did not see the shooting. She heard a helicopter overhead, but did not exit the trailer.

[redacted]
DOB: [redacted]

This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.

[redacted] said he was inside his trailer with [redacted] and he heard gunshots. He did not exit the trailer.

[redacted]
DOB: [redacted] No phone

This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.

[redacted] *was not home at the time of the incident.*

On August 18, 2011, IAB investigators conducted a second canvas for potential witnesses related to previous witness accounts of gunshots heard as the vehicle pursuit occurred. The focus of the canvas was on Sunol Drive south of Union Pacific Avenue. During the canvas there was no contact made at [redacted] and [redacted] At [redacted] an elderly female Hispanic refused to identify herself and refused to participate in an interview.

[redacted]
DOB: [redacted]

[redacted] said she saw the vehicle pursuit travel northbound Sunol Drive past her house as she stood in her driveway watching her children play. She said she could not recall what kind of vehicle was being pursued and that one patrol car was behind the vehicle being pursued. Witness [redacted] said the speed of the pursuit was approximately fifty to fifty-five miles per hour. Once the pursuit passed, she went inside her house with her children. Witness [redacted] did not hear any gunshots or any traffic collisions.

[redacted]
DOB: [redacted]

This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.

[redacted] said she did not see the vehicle pursuit or hear any gunshots. She added that she had been sick and lived alone.

[redacted]
DOB: [redacted]

[redacted] said she did not see or hear the vehicle pursuit. She said she was most likely out to dinner the night of the incident.

[redacted]
DOB: [redacted]

This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.

[redacted] said she did not recall if she was home the night of the incident. She did not recall seeing the vehicle pursuit or hearing any gunshots.

[redacted]
DOB: [redacted]

This interview was translated from Spanish to English by IAB Sergeant Hector Velasquez.

[redacted] did not see anything related to the incident.

[redacted]
DOB: [redacted]

[redacted] said was not home the night of the incident because she was at Doctor's Hospital with her mother.

[redacted]

[redacted] was interviewed by Homicide detectives and her interviews are contained on pages 30 and 70 of the Homicide Investigation Book **[EXHIBIT A]**.

On September 6, 2011, an IAB investigator spoke to [redacted] via telephone. Witness [redacted] said she did not recall the incident and could not provide any additional information.

<u>SUSPECT OSVALDO URETA</u>

On February 22, 2011, Homicide investigators attempted to interview Suspect Osvaldo Ureta, but he declined to participate. For further details refer to pages 67-68 of the Homicide Investigation Book **[EXHIBIT A]**.

On July 7, 2011, IAB personnel attempted to interview Suspect Osvaldo Ureta, but Suspect Ureta declined to participate.

MISCELLANEOUS SECTION

A vehicle pursuit evaluation form and pursuit route map **[EXHIBIT I]** were completed to document the vehicle pursuit. The pursuit radio communications **[EXHIBIT N]** were transcribed.

Traffic Services Detail investigator Deputy Robert L. Hill conducted a collision/incident analysis **[EXHIBIT M]** related to the damage sustained to Deputies Forlano and [redacted] vehicles and Suspect Ureta's vehicle.

IAB Lieutenant Ault checked to see that East Los Angeles Station Watch Commander Lieutenant Timothy Carr took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, as well as the involved parties and witness personnel did not collectively consult with their attorney or representative. Additionally, Lieutenant Ault checked to see if the watch commander attempted to have the involved parties and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.